

Eugene Code

- (b) The violator's cooperation and efforts to prevent or correct violations;
- (c) Any prior violations of the same ordinance or other similar statutes, ordinances, rules or orders; and
- (d) Whether the violation was intentional, knowing, reckless or negligent.

(Section 3.515 added by Ordinance No. 20211, enacted September 25, 2000, effective October 26, 2000.)

Payday Loans

3.550 Payday Loans - Purpose. The provisions of sections 3.550 to 3.560 of this code are intended to minimize the detrimental effects that certain payday lending practices have on individuals and families, by regulating payday lenders to require payment of a portion of the original loan amount prior to the renewal of a payday loan, to allow borrowers the ability to cancel a payday loan, and to allow borrowers the ability to convert a payday loan into a payment plan. Except as specifically provided to the contrary, the procedures and requirements of sections 3.015 to 3.080 of this code apply to the activities authorized by sections 3.550 through 3.560.

(Section 3.550 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

3.552 Payday Loans - License Required.

- (1) No person shall operate a payday lending business or loan any funds as a payday loan without a current payday lender license to do business issued by the city. Licenses shall be required for each location a lender operates in the city and shall be renewed annually.
- (2) The city manager shall adopt administrative rules pursuant to section 2.019 of this code, which shall include application criteria and a requirement that the payday lender report its fee schedule in the payday application.
- (3) The city manager shall adopt the annual cost for the license by administrative order pursuant to section 2.020 of this code.

(Section 3.552 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

3.554 Payday Loans - Inspection of Records. The city reserves the right to review and/or copy the records of any payday lender for purposes of auditing or complaint resolution. Such records shall be made available for inspection during normal business hours within 24 hours of written notice by the city manager.

(Section 3.554 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

3.556 Payday Loans - Payment of Principal Prior to Renewal. A payday lender may not renew a payday loan unless the borrower has paid an amount equal to at least twenty-five percent (25%) of the principal of the original payday loan, plus interest on the remaining balance of the payday loan. The payday

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lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.

(Section 3.550 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

3.558 Payday Loans - Cancellation.

- (1) A payday lender shall cancel a payday loan without any charge to the borrower if, prior to the close of the business day following the day on which the payday loan originated, the borrower:
 - (a) Informs the payday lender in writing that the borrower wishes to cancel the payday loan and any future payment obligations; and
 - (b) Returns to the payday lender the uncashed check or proceeds given to the borrower by the payday lender or cash in an amount equal to the principal amount of the payday loan.
- (2) A payday lender shall disclose to each borrower that the right to cancel a payday loan as described in this section is available to the borrower. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.

(Section 3.550 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

3.560 Payday Loans - Payment Plan.

- (1) A payday lender and a borrower may agree to a payment plan for a payday loan at any time.
- (2) A payday lender shall disclose to each borrower that a payment plan described in this section is available to the borrower after the maximum amount of renewals allowed by state law. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.
- (3) After a payday loan has been renewed to the maximum amount allowed by state law, and prior to default on the payday loan, a payday lender shall allow a borrower to convert the borrower's payday loan into a payment plan. Each payment plan shall be in writing and acknowledged by both the payday lender and the borrower.
- (4) The payday lender shall not assess any fee, interest charge or other charge to the borrower as a result of converting the payday loan into a payment plan.
- (5) The payment plan shall provide for the payment of the total of payments due on the payday loan over a period of no fewer than 60 days in three or more payments. The borrower may pay the total of payments due on the payment plan at any time. The payday lender may not assess any penalty, fee or other charge to the borrower for early payment on the payment plan.
- (6) A payday lender's violation of the terms of a payment plan entered into with a borrower under this section constitutes a violation of sections 3.550 through 3.560 of this code. If a payday lender enters into a payment plan with a borrower through a third party that is representing

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the borrower, the payday lender's failure to comply with the terms of that payment plan constitutes a violation of sections 3.550 through 3.560 of this code.

(Section 3.560 added by Ordinance No. 20372, enacted July 10, 2006, effective July 11, 2006.)

TAXATION

3.600 Natural Gas Supplier Tax - Definitions. For purposes of sections 3.600 to 3.625 of this chapter, the following words and phrases shall have the meanings ascribed to them by this section:

City manager. The city manager or the city manager's designee.

Facilities. Includes gas mains, pipes, boxes, reducing and regulation stations, laterals, conduits and connections, including service connections, together with all of the necessary or useful appurtenances for the transmission and distribution of gas to the city and its inhabitants and to other customers and territory beyond the limits of the city.

Gross revenue. Revenues earned by the natural gas supplier from operations within the city, including but not limited to revenues from the sale and/or transportation of natural gas consumed within the city and revenues from the use, rental or lease of operating facilities of the natural gas supplier other than residential-type space and water heating equipment, less the net writeoff of uncollectible accounts directly related to such revenues. Gross revenues shall not include:

- (a) Revenues paid directly by the United States of America or any of its agencies;
- (b) Proceeds from the sale of bonds, mortgages or other evidence of indebtedness, securities or stocks; or
- (c) Sales at wholesale by one public utility to another when the utility purchasing the service is not the ultimate customer.

Natural gas supplier. Any person who makes natural gas available for consumption within the city or who operates a natural gas distribution system which makes natural gas available for consumption within the city.

Natural gas distribution system. Real and personal property of a natural gas supplier located within the city used for the transportation, storage, or sale of natural gas.

Person. A natural person, firm, partnership, association, corporation, joint venture or other business entity.